

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**ANTONIO DEWAYNE MINGO,**

**Defendant.**

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**CASE NO: 7:22-cr-66 (WLS)**

**ORDER**

Previously, the Court provided the Parties with notice that this case was scheduled for pretrial conference on Tuesday, March 7, 2023, at 3:00 p.m. and for trial on Monday, March 27, 2023 (Doc. 22).<sup>1</sup> In the event the case is not ready for trial, the Parties were ordered to file a motion to continue at least two days prior to the date of the noticed pretrial conference. (*Id.*) The Defendant filed a timely Unopposed Motion to Continue Trial in the Interest of Justice (Doc. 25) (“Motion”) stating that no discovery has been provided to date. Once it is provided, undersigned counsel will begin diligently organizing and making an initial review of that discovery material to determine what investigation, if any, is necessary and to determine what pretrial evidentiary motions, if any, are necessary. Counsel states he requires additional time to complete these tasks, and thereby to provide Defendant with constitutionally effective advice and counsel. Defendant’s counsel represents that he conferred with Government’s counsel who does not oppose the Motion. He further states that the continuance will serve the ends of justice.

Based on the Defendant’s stated reasons, the Court finds that a continuance is required for Defendant’s counsel to effectively prepare for trial. The Court further finds the ends of justice served by granting such a continuance outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A)-(B). Therefore, the Motion (Doc. 25)

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<sup>1</sup> The Defendant misstates the dates scheduled for the pretrial conference as being March 27, 2023, and the trial date as scheduled for March 6, 2023. The correct dates are reflected in the text of this Order.

is **GRANTED**. The Court hereby **ORDERS** that the trial in the above-referenced matter be **CONTINUED** to the Valdosta Division May 2023 term and its conclusion, or as may otherwise be ordered by the Court. Furthermore, it is **ORDERED** that the time lost under the Speedy Trial Act, 18 U.S.C. § 3161, be **EXCLUDED** pursuant to 18 U.S.C. § 3161(h)(7) because the Court has continued the trial in this case and finds that the failure to grant a continuance would likely result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).

The March 7, 2023 pretrial conference as to this matter is **CANCELLED**.

**SO ORDERED**, this 28th day of February 2023.

/s/ W. Louis Sands

**W. LOUIS SANDS, SR. JUDGE**  
**UNITED STATES DISTRICT COURT**